

Belfast Model School for Girls

Achievement for All



Use of Reasonable Force/ Safe Handling Policy

Agreed by Board of Governors: May 2010

To be reviewed: May 2013

Rationale

In working towards our mission statement “Achievement for All” the Belfast Model School for Girls recognises the importance of developing a culture of continuous learning for both Staff and pupils.

It is our responsibility to provide a safe and secure environment for the entire school community (pupils and staff) and to promote and sustain appropriate behaviour.

The policy and procedures for use of reasonable force/safe handling have been prepared for the support of all teaching and support staff

This policy and our procedures have been developed in line with guidance from:

- Pastoral Care in Schools: Promoting Positive Behaviour (2001)
- Pastoral Care in schools-Child Protection: Code of Conduct for Staff (1999/10)
- DE document “Towards a Model Policy in Schools on the Use of Reasonable Force” August 2002
- The department of Education NI circular 1999/9
- DE Circular 2003/13 Welfare and Protection of Pupils

Legislative Framework

This policy has been formulated with due consideration to the following legislation:

- Children (NI) Order 1995- duty to protect and child protection responsibilities/fulfilling responsibility
- Education (NI) Order 1998 (Part II Article 4(1))
- Human Rights Act 1998- Articles 3 and 5 of the European Convention on Human Rights
- Health and Safety at Work Act (NI) Order 1978
- Education (NI) Order 2003

Principles

The Belfast Model School for Girls believes that:

- Each child has the right to be educated in a safe and secure environment.
- Parents and carers are informed and assured that their children are being educated in a safe, caring and respectful atmosphere.
- All staff have the right to work in a safe and secure environment.

Purposes

The following purposes underpin Belfast Model School for Girls’ policy and practices:

- To create a learning environment in which young people and adults feel safe
- To protect every person in the school community from harm
- To protect all pupils against any form of physical intervention, which is unnecessary, inappropriate, excessive or harmful; and

- To develop and implement guidance for staff (teaching and non-teaching) so that they are clear about the circumstances in which they might use reasonable force to restrain pupils and how such force might be applied.

Definition of Reasonable Force

The Education (NI) Order 1998 (part II Article 4 (1)) states:

A member of the staff of a grant-aided school may use, in relation to any pupil at the school, such force as is reasonable in the circumstances for the purpose of preventing the pupil from doping (or continuing to do) any of the following, namely:

- Committing any offence
- Causing personal injury to, or damage to the property of, any person (including the pupil himself); or
- Engaging in any behaviour prejudicial to the maintenance of good order and discipline at the school or among any of its pupils, whether that behaviour occurs during a teaching session or otherwise.

Based on this legal framework, the working definition of “reasonable force” is:

The minimum force necessary to prevent a pupil from physically harming herself or others or seriously damaging property, but used in a manner to preserve the dignity of all concerned.

We need to consider:

- planned intervention in which staff employ, where necessary, pre-arranged strategies based upon a risk assessment and recorded within the pupil’s education plan
- Emergency or unplanned use of force/intervention, which occurs in response to unforeseen events, e.g. pupil fights

Practices

Preventative Strategies

This school actively promotes positive behaviour management strategies thus reducing the need for the use of any form of physical intervention, except in emergency situations.

Preventative strategies for inappropriate behaviour(s) are detailed in our school’s Behaviour Management Policy especially-defusing and de-escalating conflict/confrontation or aggression.

Risk Assessment

Risk assessment is one of our prevention strategies to minimise the risk of an incident escalating unnecessarily and will be a normal practice for our school where a pupil or a small number of pupils are known to exhibit disturbing or distressing behaviour (EBD). Risk assessment will be considered only for those pupils where there is a foreseeable risk and enables us to plan and train accordingly. Risk assessment will be considered from two perspectives (a) environmental risk assessment and (b) individual risk assessment. This should form part of the pupil’s education plan.

Roles and Responsibilities

Reasonable force/safe handling can be used by any member of staff who is authorised by the principal to have lawful control or charge of pupils, e.g. teachers, classroom assistants, supervisory assistants.

Procedures

There may be circumstances when a member of staff may have to decide between making an intervention/using reasonable force by placing him/herself in a dangerous situation or standing back and thereby allowing colleagues or pupils to face potential danger. There will always be an element of personal judgement in these decisions and there is the possibility of someone being injured. However, it is reasonable to expect a member of staff to engage in some risk where there is evidence of danger and intervention has a good chance of being effective.

Staff should not, however, put themselves in personal danger merely to safeguard property.

Reasonable force/safe handling can be used by a teacher or other authorised person(s) on the school premises or when authorised elsewhere e.g. supervision of pupils in bus queues, a field trip, or other authorised out of school activities such as a sporting event or educational trip. Reasonable force should be limited to emergency situations and used only as a last resort when all other behaviour management strategies have been exhausted and where:

- Action is necessary in self defence or because there is imminent risk of injury to another pupil or person
- There is a developing risk of injury to another pupil or person, or significant damage to property
- A pupil is behaving in a way that is compromising order and discipline

Examples that fall into the above categories are:

- A pupil attacks a member of staff, or another pupil
- Pupils are fighting
- A pupil is causing, or at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous materials, substances or objects
- A pupil is running in a corridor or on a stairway in which she might cause an accident likely injure herself or others
- A pupil absconds from a class or tries to leave school without permission (Note: this will only apply if a pupil could be at risk if not kept in the classroom or at school)
- A pupil persistently refuses to obey an order to leave a classroom
- A pupil is behaving in a way that is seriously disrupting a lesson

Forms of Reasonable Force

If any of the above occurs and when other behaviour management strategies have failed, staff should send a reliable pupil for assistance and should use the minimum intervention or force that should reasonably be employed depending on the age, sex, physical strength, size, understanding, medical condition and any special needs of the pupil and used in a way that preserves the dignity and respect of all concerned. The use of reasonable force/safe handling should involve a calm and measured approach at all times appropriate to the particular pupil and be in accordance with the school's agreed strategies and the following procedures:

- Tell the pupil to stop the inappropriate behaviour
- Ask the pupil to behave appropriately, clearly stating the desired behaviour
- Tell the pupil that physical intervention will take place if inappropriate behaviour continues
- During the incident repeatedly reassure the pupil and tell that physical contact will stop as soon as she is ready to behave appropriately

The above procedure must be adhere to at all times.

If the teacher, classroom assistant or supervisory assistant feels at risk, e.g. from a large or older group of pupils-send for the nearest staff support.

The forms of reasonable force the school will use will depend on the individual circumstances and are:

- Separating pupils who are fighting, or who are about to fight
- Blocking a pupil's path
- Holding- blazer/bag
- Breakaway techniques (e.g. when a member of staff is grabbed by a pupil)
- Leading a pupil by the arm
- Shepherding a pupil away by placing hands on the backs of elbow

Health and Safety

When using reasonable force/physical intervention/restraint/safe handling, the pupil's health and safety must always be considered and monitored.

Physical interventions should involve the minimum amount of force necessary to resolve the situation and calm the pupil.

Limits on the Use of Force

The law strictly prohibits the use of force constitutes the giving of corporal punishment. The use of force as a punishment or to intentionally cause pain, injury or humiliation contravenes our Child Protection Policy. Staff should never act in a way that might reasonably be expected to cause injury, for example by:

- Holding around the neck
- Any hold that might restrict breathing
- Kicking, slapping or punching or using any implement
- Forcing limbs against joints
- Tripping
- Holding or pulling by the hair
- Holding the pupil face down on the ground
- Staff should also avoid touching or holding a pupil in any way that might be considered indecent

Record Keeping

All incidents involving the use of reasonable force must be recorded in the schools agreed pro-forma "Record Report Of The Use Of Reasonable Force"- obtainable from the office. The school (Principal) will keep an accurate up-to-date record of all such incidents. Immediately following any incident the member of staff concerned must inform the Principal or a senior member of staff and provide the contemporaneous written record/report.

The Chairperson of the Board of Governors and the Principal will review annually the entries in the incident book. Records of incidents will be kept until the date of the child's twenty-first birthday. In the event of the young person being over 18 when they leave school, records should be kept for 3 years after their date of leaving. Confidentiality and the young person's right to privacy will need to be ensured.

The pupil's views should also be recorded as soon as possible, preferable on the same day.

Contacting Parents

Parents/carers should be contacted as soon as possible and the incident explained to them. This must also be recorded in the "Record/ Report Of The Use Of Reasonable Force" as defined in the school policy. Any complaint from a parent will be dealt with within the school's complaints policy/procedures as detailed below.

Complaints

If an incident occurs in Belfast Model School for Girls involving the use of reasonable force/restraint by a teacher, the procedures governing such incidents should be followed. This will include informing the parents(s)/guardian(s) of the child as outlined above.

In the event of a subsequent complaint made against a member of staff either, by or on behalf of the child, will be dealt with in accordance with the School's Complaints Policy/Procedure and in accordance with the Circular 1999/10, Pastoral Care in Schools- Child Protection.

Staff who themselves are subject to physical violence or assault will be supported, as appropriate, in taking any necessary action against an assailant.

The use of reasonable force is only to be employed in exceptional circumstances or an emergency where a pupil appears to be unable to exercise self-control of emotions and whose behaviour is presenting a threat to himself/herself or others. A member of staff should not intervene in an incident without help if there is a risk that he/she may be injured or may endanger his/her life.

This is in line with the Code Of Conduct for Staff and the provision of post-incident support for staff.

Links with Other Policies

*This policy is one of the overall pastoral policies and dovetails into the school's policies such as behaviour management, anti-bullying, child protection, special needs, health and safety and complaints policies.
It also takes account of the staff development and welfare policy
Teaching, learning, assessment policy and curricular policies*